

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:09CR3068
	)	
v.	)	
	)	
LEONARDO CASTRO,	)	MEMORANDUM AND ORDER
	)	
Defendant.	)	

The defendant has moved for a thirty-day continuance of the pretrial motion deadline and the trial currently set for September 14, 2009. (Filing No. [29](#)). Defense counsel explains he needs additional time to review and conduct discovery, which may include traveling out of the country to interview witnesses, and the defendant and government remain actively engaged in plea negotiations. Counsel for the government does not oppose the defendant's motion. The court finds the defendant's motion should be granted.

IT IS ORDERED:

- 1) Defendant's unopposed motion to continue, (filing no. [29](#)), is granted and defendant's pretrial motions and briefs shall be filed on or before September 14, 2009.
- 2) The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and September 14, 2009, shall be deemed excludable time in any computation of time under the requirements of

the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

- 3) The trial of this case, currently scheduled for September 14, 2009, is continued and will be re-scheduled upon the resolution of any pretrial motions.

DATED this 17<sup>th</sup> day of August, 2009.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge